

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRIAN W. DOUGHERTY,	:	
Petitioner	:	
	:	
vs.	:	CIVIL NO. 1:CV-08-1100
	:	(Judge Caldwell)
JOSEPH J. PIAZZA, et al.,	:	
Respondents	:	(Magistrate Judge Blewitt)

O R D E R

AND NOW, this 17th day of July, 2008, upon consideration of the Report and Recommendation filed by Magistrate Judge Blewitt (doc. 5), to which no objections have been filed, and after an independent review of the record, it is Ordered that the Report is approved.

Pursuant to Judge Blewitt's recommendation it is also Ordered that this case is dismissed for lack of jurisdiction. Plaintiff's motion to proceed in forma pauperis (doc. 2), and for the appointment of counsel, are dismissed as moot.

The Clerk of Court shall close this file.

/s/William W. Caldwell  
William W. Caldwell  
United States District Judge